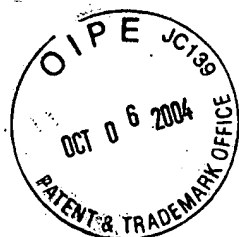


AF/1652
IFW



Docket No. 00005.001198
Date: October 5, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: MASATO IKEDA, ET. AL.

Application No.: 10/088,594

For: NOVEL TRANSALDOLASE GENE

Filed: March 21, 2002

Group Art Unit: 1652

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 6, 2004 of the Primary Examiner finally rejecting claims 12, 15, 17 and 18.

The item(s) checked below are appropriate.

1. ☒ A Petition for a one month extension of time to respond to the final rejection, together with the \$110.00 extension fee under 37 C.F.R. §1.17, was filed on August 2, 2004.
2. ☒ A Petition for an additional two month extension of time to take further action, together with the \$870.00 extension fee under 37 C.F.R. §1.17 is being filed herewith.

3. ☒ Fee \$340.00

☐ Fee \$170.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

☒ Enclosed

☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

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870.00 OP

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Lawrence S. Perry
Registration No. 31,865

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LSP\ac